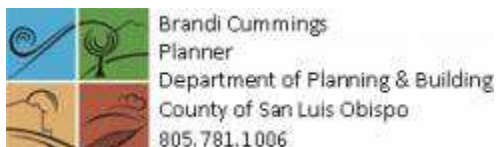


Nicole Retana

From: Brandi Cummings
Sent: Thursday, June 16, 2016 5:14 PM
To: Robert Fitzroy; Nicole Retana
Subject: Fw: Novy, SFD Los Osos
Attachments: Novy SFD Los Osos 6.16.16.pdf

Correspondence from Coastal. I will try and print a few copies in the morning.

Rob, should I mention this in my presentation, or you will mention that we received correspondence?



From: Robinson, Daniel@Coastal <Daniel.Robinson@coastal.ca.gov>
Sent: Thursday, June 16, 2016 5:11 PM
To: Brandi Cummings; Robert Fitzroy
Cc: Craig, Susan@Coastal; Kate Ballantyne; Kerry Brown
Subject: Novy, SFD Los Osos

Hi Brandi, thanks for the information earlier on this project.

Unfortunately, we have some concerns (see attached letter) that the approval of the project would be in violation of Special Condition #6 of CDP A-3-SLO-09-055/069. I've cc'd Kerry B and Kate B too, because they may be able to weigh in here as well, as they both have experience with this CDP. We feel this would apply to the other 11 or so homes that would have the same "septic system credit." Please see to it that this is distributed tomorrow prior to the hearing.

Thanks,
Daniel

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WWW.COASTAL.CA.GOV

**June 16, 2016**

Rob Fitzroy, Hearing Officer
Department of Planning and Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Subject: Novy SFD, 1325 Pasadena Drive, Los Osos

Dear Rob:

We understand that the Planning Department will have a hearing on a proposed single-family residence located at 1325 Pasadena Drive, in Los Osos on June 17th, 2016. We had previously submitted comments on this project on March 18, 2016 (related to issues with wastewater and water), and have continually tracked its progress since then. In discussing this project with the assigned planner for this project, we continue to have concerns that this project cannot be found consistent with Special Condition #6 of the Los Osos Wastewater Treatment Plant (LOWWP) coastal development permit (CDP).

On January 8, 1988 the California Regional Water Quality Control Board (RWQCB) imposed a moratorium on current sewage discharges, new sources of sewage discharge, and increases in the volume of existing sewage sources in the community of Baywood-Los Osos. The primary effect of the moratorium is that the County is prohibited from issuing any permits for new on-site sewage disposal systems (commonly called "septic" systems) within the prohibition area. While the proposed home does not include a septic system, but rather intends to connect with the existing wastewater treatment plant, it is an undeveloped property located within the prohibition area. However, new wastewater service to undeveloped properties is not allowed within the treatment plant service area. Specifically, on June 11, 2010, the Coastal Commission approved CDP A-3-SLO-09-055/069, which included Special Condition #6 that prohibits any new wastewater service to undeveloped properties at this time:

*Wastewater service to undeveloped properties within the service area shall be prohibited unless and until the Estero Area Plan is amended to identify appropriate and sustainable buildout limits, and any appropriate mechanisms to stay within such limits, based on conclusive evidence indicating that adequate water is available to support development of such properties without adverse impacts to ground and surface waters, including wetlands and all related habitats."*¹

¹ Special Condition #6 is similar to County Condition #86 for the LOWWP, which is entitled "No Service to Undeveloped Properties."

Rob Fitzroy
Novy SFD
June 16, 2016
Page 2

As the County is aware, a Local Coastal Program (LCP) amendment to the Estero Area Plan for this purpose has not been submitted to, nor certified by, the Commission.

Based on the County's staff report, the County appears to be relying on an RWQCB concurrence letter from 2014 that allows for 14 new dwelling units based on "septic system credits." The County's staff report for the project states on page nine that, "The site is utilizing a septic system credit from a demolished residence at 2150 Pine Avenue." However, while the RWQCB may allow for a limited number of new dwellings based on transfers of septic credits, Special Condition #6 (in addition to County Condition #86) does not allow for any new wastewater service connections to undeveloped properties.

As this is an undeveloped property, this project should be denied or postponed until such time as the required LCP amendment has been certified by the Commission and the relevant conditions have been satisfied.

Please do not hesitate to contact me at (831) 427-4863 if you have any questions regarding the above letter.

Sincerely,

Daniel Robinson
Coastal Planner
Central Coast District Office